

SEARCH WARRANT ON WRITTEN AFFIDAVIT

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United States District Court		DISTRICT WESTERN DISTRICT OF WASHINGTON	
UNITED STATES OF AMERICA v. THE PIONEER CONSTRUCTION MATERIALS COMPANY, A DIVISION OF RIEDEL INTERNATIONAL, INC.		DOCKET NO.	MAGISTRATE'S CASE NO.
		TO: Gerd Hattwig, Special Agent U.S. Environmental Protection Agency, and Special Deputy United States Marshal (or any other authorized agent).	

Affidavit(s) having been made before me by the below-named affiant that he/she has reason to believe that (on the person of) (on the premises known as). The Duwamish ready-mix concrete plant of the Pioneer Construction Materials Company, a division of Riedel International, Inc., a multi-acre industrial facility located at 5975 East Marginal Way South, Seattle, Washington, bordered on the east by East Marginal Way - First Avenue South, on the south by a chain link fence and the shoreline of Slip #2 (an inlet which appears on navigational charts of the Duwamish River), on the west by the Duwamish River shoreline, and on the north by a large building with the address 5931 E. Marginal Way South, which building is occupied by another company, the Norwest Gypsum Company. The Pioneer facility is clearly identified as such by the name Pioneer Construction Materials Company in large red letters on a two-story tan office building facing East Marginal Way South, with the name Glacier Sand and Gravel Co. in smaller green letters also appearing below the name of Pioneer. The building is further marked by the street address 5975 and the Pioneer Company's logo, a large red "P" on a green circle depicting a globe. A large metal building is also located on the premises, forming part of the eastern and southern border of the plant.

The Pioneer Construction Materials Co. plant contains a second two-story office-type building at the south west corner of the facility, a number of large tower-like structures used in concrete production, a water tower, and some large open waste water storage lagoons or trenches adjacent to a bulkhead on the southside. Further more there are a number of conveyor belts and piping connecting various structures. On and in this facility in the Western District of Washington, there is now certain property, to which the affiant and other employees of the United States

(See Attachment A)

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and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the person or premises above-described and the grounds for application for issuance of the search warrant exist as stated in the supporting affidavit(s).

YOU ARE HEREBY COMMANDED to search on or before September 13, 1986
(not to exceed 10 days) the person or place named above for the property specified, serving this warrant and making the search (in the daytime — 6:00 A.M. to 10:00 P.M.) (at any time in the day or night)* and if the property be found there to seize it, leaving a copy of this warrant and receipt for the property taken, and prepare a written inventory of the property seized and promptly return this warrant to a U.S. Magistrate
as required by law. U.S. Judge or Magistrate

NAME OF AFFIANT GERD HATTWIG, Special Agent & Special Deputy U.S. Marshal	SIGNATURE OF JUDGE ** OR US MAGISTRATE JOHN L. WEINBERG	DATE/TIME ISSUED
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*If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure Rule 41(c), show reasonable cause therefor.

**United States Judge or Judge of a State Court of Record.

ATTACHMENT A

Environmental Protection Agency seek access for the purpose of (1) inspecting and photographing facilities, devices and materials, (2) sampling raw materials and process and waste waters, (3) seizure of documentary evidence, these items of property further described in the attached Property List, which are evidence of violations of the Federal Water Pollution Control Act, Title 33, United States Code, Section 1251, et seq., the Rivers and Harbors Act, Title 33, United States Code, Sections 403, 407 and 411, and the Resource Conservation and Recovery Act, 42 U.S.C. Section 6928, et seq.

Property List

1. For sampling and inspection purposes: all raw material and waste and waste water storage, treatment, and disposal areas, including those containing cement and concrete raw materials, concrete production final products, concrete production byproducts and wastes (including cooling water), concrete production equipment cleaning solutions (unused and waste); all concrete production and related waste disposal equipment and devices, including tanks, vats, lagoons, manholes, pipes, drains, trenches, conduits, valves and waste material land application areas and equipment, and affiliated structures (buildings) housing the same; all general equipment used in concrete production, including returning (mostly) empty Pioneer and Glacier Sand and Gravel trucks present on the facility during the time of execution of this warrant.

2. For sampling and inspection purposes: soil, water, and waste liquids, and other natural or man-made materials in the vicinity of the areas and devices referred to in paragraph one above.

3. For photographing purposes: all structures, buildings, offices, piping, equipment, and other areas of the Pioneer Duwamish plant.

Books, records, and files (of all sorts, including computer disks, other storage media, or printouts) indicating the following, described in the succeeding paragraphs of this list:

4. Documents indicating the name, addresses, and telephone numbers of all company employees and all documents which contain job descriptions or other material defining the nature and scope of each employee's responsibilities, and records which show time and attendance of said employees, including time cards, or other such records reflecting employment history, such records to include those of former employees no longer currently employed by the company.

5. All records for cleaning operations involved in concrete production and sale.

6. All documents indicating the chemical constituents and physical properties of concrete production raw materials, cleaners, and related waste, including but not limited to animal and plant studies, laboratory analyses, formulas, recipe books, production labels, chemical indexes and manuals, manufacturers' descriptive literature, safety literature and employee precautions.

7. Any documents, correspondence, notes, or memoranda concerning communications by or between (1) officials and employees of Riedel International, Inc., and its division, Pioneer Construction Materials (and Glacier Sand and Gravel) or (2) these company officials and employees and federal, state and local environmental, health, and industrial waste water treatment agencies which in any way relate to concrete production wastes, concrete production cleaning materials and the disposal of these wastes.

8. Documents and files demonstrating knowledge on the part of corporate officers and employees of the nature of the materials handled at Pioneer Construction Materials Co. and/or of laws regulating their disposal and use.

9. Documents, correspondence, notes, and memoranda concerning citizen complaints to Pioneer Construction Materials Co., about waste discharge.

10. Any documents relating to contracts with any transporter, treater, or disposer for the handling of concrete production waste materials.

11. Maps, sketches or other schematics of plumbing, trenches, production lines, discharge systems and pipes or cooling water systems, and records of modifications, construction or renovation of plumbing or piping including contracts, bills, payments and letters to or from contractors.

12. Records, flow meter charts, log books, and discharge monitoring notes, laboratory analyses and notebooks, and other documents concerning quantities, rates, and constituents of waste water discharge (both directly to the Duwamish River and to the sanitary sewer).

13. Records, logs, tallies or other documents reflecting accumulation rates for wastes.

14. Records, logs, tally sheets or other documents concerning concrete production quantities.

15. Facility or driver concrete truck trip log sheets and other records of use and cleaning of cement and concrete trucks

owned and/or operated by Pioneer Construction Materials Co. and Glacier Sand and Gravel Co., operated out of the Pioneer Duwamish facility.

16. Night watchman logs, records, or reports containing reference to waste water valve operation, waste discharge, equipment monitoring, and night crew employee attendance.

17. Documents reflecting the purchases, uses, and disposal of any acids at Pioneer Construction Materials Co.

18. Documents explaining operation of any computer system containing any of the above information.